

**IN THE U.S. DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PATRICK EDDINGTON
1000 Massachusetts Ave., NW
Washington, D.C. 20001

Plaintiff,

v.

U.S. DEPARTMENT OF STATE,
600 19th Street, NW, Suite 5.600
Washington, DC 20522

Defendant.

COMPLAINT

1. Plaintiff PATRICK EDDINGTON files this Freedom of Information Act suit to force Defendant DEPARTMENT OF STATE to produce documents pertaining to Amir Mohamed Meshal, a U.S. citizen who was held by both Kenyan and Ethiopian government entities in 2006-2007.

PARTIES

2. Plaintiff PATRICK EDDINGTON is a policy analyst and scholar at the Cato Institute and made the FOIA request at issue in this case.

3. U.S. DEPARTMENT OF STATE (“STATE”) is a federal agency subject to the Freedom of Information Act, 5 U.S.C. § 552.

JURISDICTION AND VENUE

4. This case is brought under 5 U.S.C. § 552(a)(6)(c)(i) and presents a federal question conferring jurisdiction on this Court.

5. Venue is proper under 5 U.S.C. § 552(a)(4)(B).

DEFENDANT'S FOIA VIOLATION

6. On April 26, 2019, EDDINGTON made the following FOIA request to STATE via its electronic submission portal: “[a]ny Department of State documents that mention Amir Mohamed Meshal, a U.S. citizen formerly of Tinton Falls, New Jersey and at the time a constituent of then-Rep. Hush Holt (D-NJ) and who was held by both Kenyan and Ethiopian government entities in 2006-2007.” Exhibit A.

7. EDDINGTON also requested expedited processing and a fee waiver. Exhibit A.

8. On April 26, 2019, STATE sent an automatic confirmation email with a copy of the request to EDDINGTON. Exhibit B.

9. On May 9, 2019, STATE acknowledged the request and assigned it the following number: F-2019-05561. Exhibit C.

10. In the same letter, STATE denied expedited processing. Exhibit C.

11. On May 20, 2019, EDDINGTON appealed STATE's denial of expedited processing: “As a Cato scholar, I meet the statutory definition of a ‘representative of the news media’ per *Cause of Action v. F.T.C.*, 799 F.3d 1108 (D.C. Cir. 2015) as Cato and its scholars (1) gather information of potential interest; (2) to a segment of the public; (3) use editorial skills to turn the raw materials into a distinct work; and (4) distribute that work (5) to one or more audiences. Accordingly, I ask for expedited processing on that basis.” Exhibit D.

12. On May 21, 2019, STATE affirmed its denial to expedited processing. Exhibit E.

13. STATE has not issued a determination regarding the request.

14. As of the date of filing, STATE has produced no responsive records.

COUNT I – VIOLATION OF FOIA

15. The above paragraphs are incorporated herein.

16. STATE is an agency subject to FOIA.
17. EDDINGTON made a FOIA request to STATE for agency records of STATE.
18. STATE failed to produce the requested records.

WHEREFORE, Plaintiff asks the Court to:

- i. Order STATE to produce the requested records immediately;
- ii. Award EDDINGTON attorney fees and costs; and
- iii. Enter all other relief the Court deems appropriate or that is justified under the statute.

Dated: September 18, 2019

Respectfully Submitted,

/s/ Joshua Hart Burday

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